

1 Susan E. Kirkgaard, SBN: 134915
2 LAW OFFICES OF JOHN A. BIARD
3 P.O. Box 64093
4 St. Paul, Minnesota 55164-0093
Physical Address:
5 11070 White Rock Road, Ste. 200
6 Rancho Cordova, CA 95670
7 Telephone: 916-638-6610
8 Direct: 916-638-6579
9 Facsimile: 855-631-5920
10 EMAIL: skirkgaa@travelers.com

FILED

DEC 18 2020

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA
UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

8 Attorneys for Lien Claimant
9 TRAVELERS COMMERCIAL INSURANCE COMPANY

10 **UNITED STATES BANKRUPTCY COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 In the Bankruptcy Matter of:

PG&E CORPORATION (19-30088)

13 PG&E Corporation (19-30088)

TRAVELERS COMMERCIAL INSURANCE
COMPANY'S NOTICE OF LIEN AGAINST
ANY PAYMENTS MADE BY PG&E TO
PABLO MEJIA RODRIGUEZ,
CLAIM NO. 8978

14 Debtor.

15
16 **TO THE CLERK OF THE ABOVE-ENTITLED COURT, TO ALL PARTIES, AND**
17 **THEIR ATTORNEYS OF RECORD HEREIN:**

18 TRAVELERS COMMERCIAL INSURANCE COMPANY ("Lien Claimant TRAVELERS")
19 under California Labor Code §§ 3852 and 3856, and on the following grounds, claims and applies for a
20 first lien in the sum of \$536,646.41 against any settlement payments that may be made by PG&E to
21 PABLO MEJIA RODRIGUEZ ("RODRIGUEZ"), pursuant to his claim filed in Case No. 19-30088
22 by counsel for RODRIGUEZ Drew Widders, known as Claim number 8978 filed on 09/17/2019
23 (attached for reference). Thus, this claim of lien is not being filed as against PG&E, but rather *against*
24 *any proceeds* PG&E may pay to RODRIGUEZ as a result of RODRIGUEZ' claim against PG&E.
25

26 TRAVELERS seeks via this lien in this action 19-30088 against any proceed distributed by
27 PG&E to RODRIGUEZ pursuant to Claim number 8978 filed on 09/17/2019 before payment of any
28 settlement to RODRIGUEZ, as follows:



1 1. On or about 11/29/2017, Lien Claimant TRAVELERS was at all times herein
2 mentioned a corporation authorized to transact and transacting business within the State of California.

3 2. Lien Claimant TRAVELERS was at all times herein mentioned a duly organized and
4 authorized Workers' Compensation insurer and was obligated under a duly issued and valid policy of
5 insurance to pay Workers' Compensation benefits on behalf of our Insureds ("Insureds
6 Nathanson/Reisere").

7 3. That at all relevant times and places referred to herein, RODRIGUEZ was acting within
8 the course and scope of his employment on Insureds Nathanson/Reisere's property, and the injuries
9 complained of arose out of and in the course and scope of said employment.

10 4. As a proximate result of the negligence alleged, RODRIGUEZ sustained personal
11 injuries.

12 5. As a direct and legal result of said negligence, and pursuant to the liability of Lien
13 Claimant TRAVELERS under the California Workers' Compensation laws, including but not limited
14 to Labor Code §§3852 and 3856, Lien Claimant TRAVELERS became obligated to pay and did pay to
15 and on behalf of RODRIGUEZ (employee of Insureds Nathanson/Reisere) the total sum of
16 \$536,646.41, consisting of indemnity payment in the sum of \$36,984.97 and medical benefits in the
17 sum of \$499,661.44 in Workers' Compensation benefits issued to RODRIGUEZ.

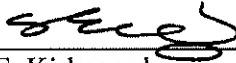
18 6. By reason of the foregoing, Lien Claimant TRAVELERS was required to furnish
19 RODRIGUEZ with medical treatment and disability indemnity in accordance with Workers'
20 Compensation laws of the State of California, and Lien Claimant TRAVELERS made payments to and
21 on behalf of RODRIGUEZ for medical treatment and disability indemnity in the total sum of
22 \$536,646.41.

23 7. In the event RODRIGUEZ is successful in recovering any funds from Debtor PG&E
24 under Claim number 8978 filed on 09/17/2019, that Lien Claimant TRAVELERS herein be allowed a
25 lien recovery up to the full amount of its monies expended in furnishing RODRIGUEZ with medical
26 care, treatment, and disability benefits up to the date of judgment or settlement herein pursuant to the
27 California Labor Code including, but not limited to, Sections 3852, 3856, 3859, and 3860. California
28 Labor Code § 3856(c) states in pertinent part, "After the payment of ...expenses and attorneys' fees [,]

1 the court shall apply out of the amount of such judgment for damages an amount sufficient to
2 reimburse the employer for the amount of his expenditures for compensation..."

3
4 Dated: November 4, 2020

LAW OFFICES OF JOHN A. BIARD

5 
6 Susan E. Kirkgaard
7 Attorney for Lien Claimant
8 TRAVELERS COMMERCIAL INSURANCE
COMPANY

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 3 -

TRAVELERS COMMERCIAL INSURANCE COMPANY'S NOTICE OF LIEN

Case: 19-30088 Doc# 9877 Filed: 12/18/20 Entered: 12/21/20 07:53:46 Page 3 of 4

BANKRUPTCY COURT

RECEIVED

DEC 18 2020

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

Name:

P G E

Case #:

19-30088